

NOTICES OF PUBLIC INFORMATION

Notices of Public Information contain corrections that agencies wish to make to their notices of rulemaking; miscellaneous rule-making information that does not fit into any other category of notice; and other types of information required by statute to be published in the *Register*. Because of the variety of material that is contained in a Notice of Public Information, the Office of the Secretary of State has not established a specific format for these notices.

NOTICE OF PUBLIC INFORMATION

DEPARTMENT OF ENVIRONMENTAL QUALITY

[M11-295]

1. **Name of the Agency:** Arizona Department of Environmental Quality
2. **Title and its heading:** 18, Environmental Quality
- Chapter and its heading:** 9, Department of Environmental Quality – Water Pollution Control
- Article and its heading:** 9, Arizona Pollutant Discharge Elimination System
- Section and its heading:** R18-9-A907(B)
3. **A brief description of the proposed general permit:**

The Arizona Department of Environmental Quality (ADEQ) is proposing to issue a general permit that authorizes owners or operators of wastewater treatment plants to discharge treated wastewater to surface waters on an infrequent basis as specified in the permit. The permit is applicable to wastewater treatment plants with a design flow of less than 20 million gallons per day (20 mgd) that have routine and/or emergency point source discharges of wastewater that meet the applicable surface water quality standards (SWQS, 18 A.C.C. 11, Article 1). The general permit would limit the occurrence of routine discharges to no more frequently than two times per calendar year with a duration of no more than 14 consecutive days per discharge event and at least 30 days between discharges; and the emergency discharges occur no more frequently than three times per permit term with a duration of no more than 14 consecutive days per discharge event. Discharges to Outstanding Arizona Waters and new or expanded discharges to impaired waters are not eligible for coverage under this permit.

Under the federal Clean Water Act and associated regulations (40 CFR 122), and under ARS § 49-255 *et seq.* for Arizona, all point source discharges to surface waters require some type of discharge permit coverage. As an alternative to obtaining an individual AZPDES permit, the proposed general permit provides coverage for qualifying discharges to surface waters.

In general, to obtain coverage under this permit, an eligible party must submit a completed Notice of Intent (NOI) form to ADEQ. A person who submits a complete and accurate NOI for authorization to discharge under this general permit as required by A.A.C. R18-9-C901(B) is authorized to discharge only after receiving written approval from ADEQ in the form of a Discharge Authorization Certificate (DAC). The DAC will specify the effective date of authorization and any special conditions, limitations, and monitoring requirements applicable to the discharge in addition to those specified in the permit. If there is an existing Total Maximum Daily Load (TMDL) which includes a waste load allocation (WLA) for the discharge, that WLA will be included as a limit in the Discharge Authorization Certificate (DAC). The permittee must conduct discharge monitoring in accordance with the permit conditions and as specified in the DAC.

This general permit is proposed to be a Level 3, 4a, or 4b based on A.A.C. R18-14-109, Table 6, AZPDES Water Quality Protection Services Flat Fees, depending on the design capacity of the facility. Level 3 will apply to minor facilities having a design capacity less than 1 mgd, Level 4a will apply to major facilities having a design capacity equal to or greater than 1 mgd but less than 10 mgd, and Level 4b will apply to major facilities having a design capacity equal to or greater than 10 mgd but less than 20 mgd.

4. **A description of the permit area:**
The proposed general permit covers eligible discharges in Arizona except for Indian Country as defined in 18 U. S. C. 1151.
5. **How to obtain copies of the draft permit documents:**
Copies of the proposed general permit and accompanying fact sheet are available upon request from the agency personnel listed in item 7 below and on the Department's web site at:
<http://www.azdeq.gov/environ/water/permits/index.html>.
The proposed general permit and fact sheet are also available at the Arizona Department of Environmental Quality, 1110 W. Washington St., Phoenix, AZ and may be reviewed any time between 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding legal holidays.
6. **The time during which the agency will accept written comments:**
Comments on the proposed general permit must be submitted c/o Marnie Greenbie at the address, fax number, or e-mail address provided below, and received or postmarked no later than October 17, 2011. Within the comment period, interested persons may also request a public hearing under A.A.C. R18-9-A908 concerning the proposed permit.

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7. The name, address, and telephone number of agency personnel to whom questions and comments on the general permit may be addressed:

Name: Marnie Greenbie
Address: Arizona Department of Environmental Quality
Water Quality Division, Surface Water Section
1110 W. Washington St., 5415A-1
Phoenix, AZ 85007
Telephone: (602) 771-4689
Fax: (602) 771-4674
E-mail: mxg@azdeq.gov